

Norton Seeks Temporary House Vote Until Passage of D.C.-Utah Vote Bill - December 11, 2006

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Washington, DC—Now that the 109th Congress has ended without passage of the D.C.-Utah vote bill, Congresswoman Eleanor Holmes Norton (D-DC) has written a letter to Rules Committee Chair Louise Slaughter (D-NY), released today, formally requesting the return of the D.C. Committee of the Whole or delegate vote on the House floor, pending early consideration of the full House vote in the 110th Congress. “The delegate vote for D.C. residents would bring some respect and recognition of their citizenship that they have long sought, and would provide some voting representation immediately when the House convenes,” Norton wrote. She cited D.C.’s position as first per capita in federal income taxes in 2006, consistent military service, and D.C. bills that Congress considers, on which no D.C. member can vote. Norton said the delegate vote “will give D.C. a head start of the real deal and will signal we’re back soon for the rest.”

Norton got the Committee of the Whole vote for D.C. in the 103rd Congress, when Democrats were in the majority, after she submitted a legal memorandum. However, in 1995 during the 104th Congress, the Republican majority “withdrew the only vote on the House floor the District of Columbia has had in the more than 200 years of the city’s existence,” Norton wrote, even though the courts had upheld the constitutionality of the vote after Republicans sued during the 103rd Congress.

Speaker Nancy Pelosi (D-CA) also recently said she supported the return of the Committee of the Whole vote, which can be achieved through a House rules change, and Slaughter has shown strong support in the past as the ranking member of the Rules Committee. Today, Norton is submitting a formal request for the rules change “as a temporary remedy pending consideration of the full House representation that American citizens who live in the nation’s capital are entitled to and that Democrats have always supported.”

The full text of Norton’s letter follows.

December 11, 2006

Louise McIntosh Slaughter, Chair

Committee on Rules

U.S. House of Representatives

Dear Chairwoman Slaughter:

I appreciate the strong support that you as ranking member have given to the citizens of the District of Columbia and to me each session of Congress as I have appeared before you attempting to retrieve the vote in the Committee of the Whole granted by the Democrats in the 103rd Congress, but withdrawn by the Republicans when they took control of the House. I know that you have this matter under consideration, but now that the Republican majority has failed to bring the bill for the full House vote to the floor, I write to formally request the return of the D.C. vote on the House floor, pending consideration by the House of a bill to simultaneously create votes for the District of Columbia and Utah in the 110th Congress.

You may recall that during the 103rd Congress, when the Democrats were in the majority, I submitted a legal memorandum and requested and obtained the right to vote in the Committee of the Whole for the residents of the District of Columbia. The Democrats sent the matter to outside attorneys and experts, who confirmed that the delegate vote would be constitutional, and the House acted. The Republican minority then sued the House. However, the U.S. District Court for the District of Columbia and the U.S. Court of Appeals both confirmed the constitutional authority of the House to allow delegate voting in the Committee of the Whole, as Congress had long done in subject matter committees created by the House (the Republicans made no change in other committee voting). The Republicans took control in the 104th Congress and withdrew the only vote on the House floor the District of Columbia has had in the more than 200 years of the city's existence.

A combination of three reasons argue for granting the delegate vote to the District of Columbia: (1) the unique tax-paying status of D.C. residents, who nevertheless have no representation but contribute almost \$5 billion annually to the U.S. government, first per capita in the U.S.; (2) military service by D.C. residents in every American war, including the war that resulted in the creation of the Republic, and in every war since, often disproportionately, for example, more residents per capita in Desert Storm than 47 states; and (3) the unique requirement that the city submit its locally raised budget and laws to the Congress, although no member from the District can cast a vote for the District, even on District matters.

As you know, the delegate vote that I request is not the equivalent of the vote of Members from states. However, in upholding the delegate vote, the U.S. District Court and the U.S. Court of Appeals ruled that the House had the requisite authority under Article I, Section 5, Clause 2 of the Constitution, which states, "Each House may determine the Rules of its Proceedings." The Rules promulgated in the 103rd Congress and my enclosed submission to the Committee today contain a re-vote provision to account for the few, if any, cases where the delegate vote might provide the deciding margin in the Committee of the Whole. This provision was added only to remove any constitutional doubt in a case where the delegate's vote moved a matter forward to a final vote in formal House proceedings, where a delegate may not vote. Even with the delegate vote, the District would continue to have no full vote in the House. Nevertheless, the delegate vote for D.C. residents would bring some respect and recognition of their citizenship that they have long sought, and would provide some voting representation immediately when the House convenes for the 110th Congress.

Democrats have consistently supported full representation and democracy for the American citizens who live in the nation's capital. Therefore, I am requesting the Committee of the Whole vote as a temporary remedy pending consideration of the full House representation that American citizens who live in the nation's capital are entitled to and that Democrats have always supported.

Thank you again for your strong and consistent support throughout.

Sincerely,

Eleanor Holmes Norton